

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 09859/0202256-US0
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/519630
INTERNATIONAL APPLICATION NO. PCT/JP2003/08045	INTERNATIONAL FILING DATE 25 June 2003	PRIORITY DATE CLAIMED 25 June 2002
TITLE OF INVENTION HETEROBICYCLIC COMPOUNDS		
APPLICANT(S) FOR DO/EO/US Daisuke Machii et al.		

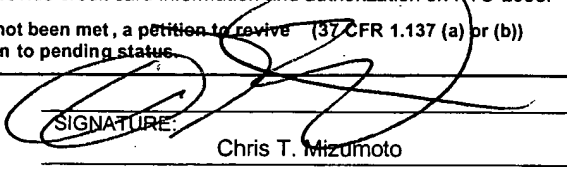
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☒ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☒ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98; PTO/SB/08A; ISR with one document.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Certificate of Express Mailing Under 37 CFR 1.10; Verification of Translation; Copy of WO 2004/000841 A1; Check in the amount of \$2,040.00; Return Receipt Postcard; Copy of PCT Request; Affirmation of priority claim w/PCT/IB/304

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) 10/519630		INTERNATIONAL APPLICATION NO. PCT/JP2003/08045		ATTORNEY'S DOCKET NUMBER 09859/0202256-US0	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee\$300.00				\$	300.00
<input checked="" type="checkbox"/> b) Examination fee\$200.00				\$	200.00
<input checked="" type="checkbox"/> c) Search fee\$500.00				\$	500.00
TOTAL OF ABOVE CALCULATIONS =				\$	1,000.00
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
275 - 100 =	175 /50 =	4	x \$250.00	1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		20 - 20 =		x	\$
Independent claims		1 - 3 =		x	\$
MULTIPLE DEPENDENT CLAIM(s) (if applicable)					
Ren. Ref: 10/21/2005 WALVARAD 0020563500					
TOTAL OF ABOVE CALCULATIONS = \$2,000.00					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$	2,000.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$	2,000.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	2,040.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 2,040.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Joseph R. Robinson DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7783 CUSTOMER NUMBER: 07278					
SIGNATURE: 					
NAME: Chris T. Mizumoto					
REGISTRATION NUMBER: 42,899					

VERIFICATION OF TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/JP2003/008045 is a true and complete translation of the above identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: December 15, 2004

Full name of the translator Ako HANEDA

Signature of the translator Ako Haneda

Post Office Address c/o KYOWA HAKKO KOGYO CO., LTD.

6-1, Ohtemachi 1-chome, Chiyoda-ku, Tokyo 100-8185 Japan

10/519630

Rec'd PCT/PTO 23 DEC 2004

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 09859/0202256-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. _____ in an envelope addressed to:


EV382053725-US

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on December 23, 2004
Date



Signature



Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pp)
Application Data Sheet (6 pp)
Copy of WO 2004/000841 A1 (1 pg)
Verification of Translation (1 pg); Translation of International Application
PCT/JP2003/008045 (268 pp); Claims (6 pp); Abstract (1 pg)
First Preliminary Amendment (8 pp)
Copy of PCT Request (6 pp)
Affirmation of priority claim (1 pg) w/PCT/IB/304
Executed Declaration and Power of Attorney (5 pp)
Recordation Form Cover Sheet (2 pp) w/Assignment (4 pp)
Information Disclosure Statement (2 pp); PTO/SB/08A (1 pg); ISR with
one document; Check No. 7122 in the amount of ~~\$2,000.00~~ **\$2040**
Return Receipt Postcard

5 Rec'd FCT/PTO 23 DEC 2004

Dated: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Not Yet Assigned

AFFIRMATION OF PRIORITY CLAIM

Dear Sir:

Applicants hereby claim priority under 35 U.S.C. 119 based on the following prior foreign application filed in the following foreign country on the date indicated:

Country	Application No.	Date
Japan	2002-185281	June 25, 2002

A certified copy of the aforesaid Japanese Patent Application was received by the International Bureau on August 15, 2003 during the pendency of International Application No. PCT/JP03/08045. A copy of Form PCT/IB/304 is enclosed.

Dated: December 23, 2004

~~Respectfully submitted,~~

By Chris T. Mizumoto

Registration No.: 42,899
DARBY & DARBY P.C.
New York, New York 10150-5257
(212) 527-7700/(212) 753-6237 (Fax)
Attorneys/Agents For Applicants